UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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JOHN J. OSKOREP, ESQ.
ONE MAGNIFICENT MILE CENTER
980 N. MICHIGAN AVE.
SUITE 1400
CHICAGO, IL 60611

EXAMINER
IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/734,502	ISLAM ET AL.
	Examiner	Art Unit	
	Khawar Iqbal	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*30 January 2006*</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *7-16 and 23-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *7-16 and 23-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>*01-30-06*</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 01-30-06 have been fully considered but they are not

persuasive. The examiner has thoroughly reviewed applicant argument but firmly

believes the cited references to reasonably and properly meets the claimed limitations.

Applicant argues that "there is no suggestion or motivation to one ordinarily skilled in the

art to provide the CEUTC or Local Field 624" of Thome et al in a removable user

identity module (R-UIM) as the Examiner argues Specifically, there is no suggestion or

motivation to provide Thome et al. with a timestamp mode indicator field in memory of

an R-UIM (not explicitly described in Thome et al for indicating a timestamp mode of

operation of a home message center as one of a coordinated universal time (UTC)

mode and a non-UTC mode, as recited in the claims. As one ordinarily skilled in the art

will appreciate, an R-UIM contains non-volatile memory which is used to semi

permanently store important information" examiner would like to point out that Thome et

al teaches, in order to compute "message time sent" in particular time zero of user, the

mobile must store the time stamp and/or offset and/or daylight saving of MC received in

message and "a memory accessible by the processor configured to store processor

executable code, wherein the processor executable code is configured to provide a time

value and a time zone indicator, responsive to the time data, to the message recipient"

(para. 0049 and claim 19). In response to applicant's arguments against the references

individually, one cannot show nonobviousness by attacking references individually

where the rejections are based on combinations of references. See *In re Keller*, 642

F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231

USPQ 375 (Fed. Cir. 1986). Therefore, the Mittal reference was presented to

demonstrate to applicant it was old and will known in the art @ time of the invention to

store operating parameters such as time stamp information, in to a removable memory.

Mittal was not presented to re-teach all the aspects already disclosed by Thome et al.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 7-16 and 23-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Thome et al (20040203620) and further in view of Mittal

(20040043788).

4.   Regarding claims 7-12 Thome et al teaches a method of providing consistency in

Short Message Service message timestamp formatting for mobile communication

devices, comprising (figs. 1-8):

providing a timestamp mode indicator field in the removable user identify module

for indicating a timestamp mode of operation of a home message center as one of a

coordinated universal time (UTC) mode and a non-UTC mode (para. 0035,0042-

0045,0049-0050, fig. 8). Thome et al also teaches a display 216, a memory 224 and a

user interface 228. One or more types of memory 224 may be utilized including, but

not limited to, RAM, ROM, flash memory, magnetic memory, magnetic memory, such as a micro-hard disk drive, or optical memory (para. # 0027). Thome et al does not specifically teach removable user identity module for a mobile communication device.

In an analogous art, Mittal teaches removable user identity module for a mobile communication device (Para. # 0006-0008). The method involves transmitting a text message to a mobile station (10) over a network. The message is received and a traffic channel connection is established between the station and a device management server (38). An identity of the station is established with the server. Operating parameters are downloaded from the server to the mobile station via the channel and are stored in a removable user identity module (42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Thome et al teaches by specifically adding features used for operating parameter in a mobile station stored in a removable user identity module (R-UIM) or mobile telephone taught by Mittal.

Regarding **claims 13-16** Thome et al teaches a mobile station (MS), comprising (figs. 1-8):

Memory (224), a stored indicator in the memory which is indicative of a timestamp mode of operation of a home message center as one of a coordinated universal time (UTC) mode and a non-UTC mode (para. 0027,0035,0042-0045); a mobile equipment (204) which includes an interface (para. 0035,0042-0045, 0049); a processor (220), a visual display (216) coupled to the processor (220); the processor being operative to: receive a Short Message Service (SMS) message having

timestamp data (para. 0035,0042-0045); convert the timestamp data from a

Coordinated Universal Time (UTC) format to a non-UTC format when the stored

indicator indicates that the timestamp data has the UTC format (para. 0035,0042-

0045); and cause the visual display to display the timestamp (para. 0027,0035,0042-

0045). Thome et al also teaches a display 216, a memory 224 and a user interface

228. One or more types of memory 224 may be utilized including, but not limited to,

RAM, ROM, flash memory, magnetic memory, magnetic memory, such as a micro-hard

disk drive, or optical memory (para. # 0027). Thome et al does not specifically teach R-

UIM interface.

In an analogous art, Mittal teaches R-UIM interface (Para. # 0006-0008). The

method involves transmitting a text message to a mobile station (10) over a network.

The message is received and a traffic channel connection is established between the

station and a device management server (38). An identity of the station is established

with the server. Operating parameters are downloaded from the server to the mobile

station via the channel and are stored in a removable user identity module (42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the device of Thome et al teaches by specifically adding

features used for operating parameter in a mobile station stored in a removable user

identity module (R-UIM) or mobile telephone taught by Mittal.

Regarding **claims 23-28** Thome et al teaches mobile equipment, comprising

(figs. 1-8):

a Processor (220); a wireless receiver (212) coupled to the processor (fig. 2);

a visual display (216) the processor being operative to: receive, through the wireless

receiver, a message having timestamp data (para. 0027,0035,0042-0045);

Short Message Service (SMS) convert the timestamp data from a Coordinated

Universal Time (UTC) format to a non-UTC format when a stored indicator in memory

(224) of the removable user identity module indicates that the timestamp data has the

UTC format (para. 0027,0035,0042-0045); and cause the visual display (216) to

display the timestamp (para. 0027,0035,0042-0045, 0049). Thome et al also teaches a

display 216, a memory 224 and a user interface 228. One or more types of memory

224 may be utilized including, but not limited to, RAM, ROM, flash memory, magnetic

memory, magnetic memory, such as a micro-hard disk drive, or optical memory (para.

0027). Thome et al does not specifically teach removable user identity module for a

mobile communication device.

In an analogous art, Mittal teaches removable user identity module for a mobile

communication device (Para. # 0006-0008).

The method involves transmitting a text message to a mobile station (10) over a

network. The message is received and a traffic channel connection is established

between the station and a device management server (38). An identity of the station is

established with the server. Operating parameters are downloaded from the server to

the mobile station via the channel and are stored in a removable user identity module

(42). Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the device of Thome et al teaches by specifically

adding features used for operating parameter in a mobile station stored in a removable

user identity module (R-UIM) or mobile telephone taught by Mittal.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khawar Iqbal whose telephone number is 571-272-

7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/customer service whose telephone

number is (571) 272-2600.

Khawar Iqbal

CHARLES APPIAH
PRIMARY EXAMINER